IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA:

CWP.No.834/2006

Date of Decision :4.5.2007.

Krishan Kumar. …Petitioner.

Versus:

State of H.P. and others. …Respondents.

Coram:

The Hon'ble Mr.Justice Sanjay Karol, Judge.

Whether approved for reporting?[1]

For the petitioner: Mr.Baldev Singh, Advocate.

For Respondents. Mr.C.B.Singh, Dy.Advocate General

Sanjay Karol, J (Oral).

When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the documents entitling him to take benefit of the provisions of Section 118 of the H.P. Tenancy & Land Reforms Act, 1972 (hereinafter referred to as `the Act') are now in his possession. He further submits that the same could not be placed before this Court also for the reason beyond his control. He requests that the Collector, Chamba, being the Competent Authority be directed to consider the matter

---

[1] **Whether reporters of Local Papers may be allowed to see the judgment?**

afresh in the light of the new documents which he shall place before the concerned authority.

Without going into the merits and respective contentions of the parties, in the interest of justice, it is directed that the respondents shall place the entire material before the Collector, who shall consider afresh and take a decision thereupon in accordance with law. The petitioner undertakes to file the documents within three weeks from today. The Collector shall decide the matter within a period of two months thereafter. Till the decision of the Collector, the order dated 20th October, 2006 directing the parties to maintain status quo with regard to the nature and possession of the property shall continue to be in operation.

Needless to add that the issue raised by the parties has not been adjudicated in the present writ petition, it will be open for the parties to raise all pleas before the concerned authority. If the petitioner is aggrieved by the orders passed by the Collector, it will also be open for him to take recourse to such remedies as would be available to the petitioner in accordance with law. Copy dasti on usual terms.

(**Sanjay Karol),**
Judge.

May 4, 2007(R)